## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND,

Plaintiff

v.

BOC GROUP, INC. d/b/a BOC GASES,
Defendant/Third-Party Plaintiff

v.

TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID CONTROL
GROUP AND PACER DIGITAL SYSTEMS
INC.,

Third-Party Defendants

Third-Party Defendants

## PROPOSED AMENDED JOINT PRE-TRIAL SCHEDULE

The parties in the above-referenced action have conferred and agree on the following schedule:

Initial Disclosures of Plaintiff and Defendant/Third-Party Plaintiff by	April 15, 2005
Initial Disclosures of Third-Party Defendants by	June 13, 2005
Amendment to Pleadings by	July 18, 2005
Joinder of Additional Parties by	August 12, 2005
Fact Discovery Necessary for Settlement Discussions	December 2, 2005
Status Report on Settlement	February 6, 2006
All Fact Completed by	March 3, 2006
Parties limited to 25 Interrogatories to other parties. Each party will be Required to present up to eight fact witnesses for deposition.	
26(b) Expert Disclosures, Plaintiff by	April 3, 2006
26(b) Expert Disclosures, Defendant/Third-Party Plaintiff by	May 3, 2006
26(b), Expert Disclosures, Third-Party Defendants by	June 5, 2006

Expert Discovery Completed by

September 29, 2006

Status Conference to Discuss Settlement And Other Pertinent Deadlines

October 12, 2006

Counsel for Plaintiff, Dana-Farber Cancer Institute a/k/a The Jimmy Fund,

Counsel for Defendants, BOC Group, Inc. d/b/a BOC Gases,

Michael P. Girmin

Patrick J. Loftus, III, ESQUIRE

9 Park Street, Suite 500 Boston, MA 02108

617-723-7770

Matthew P. Sgro DONOVAN HATEM LLP World Trade Center East Two Seaport Lane Boston, MA 02210 617-406-4500

Counsel for Third-Party Defendants, Taylor-Wharton, Harsco Corporation, Gas & Fluid Control Group, and Pacer Digital Systems, Inc.

A. Damien Puller NIXON PEABODY LLP 100 Summer Street Boston, MA 02110 617-345-1000

John J. Weinholtz NIXON PEABODY LLP Key Towers at Fountain Plaza 40 Fountain Plaza, Suite 500 Buffalo, New York 14202 716-853-8141

Dated: December 19, 2005